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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,266	03/18/2002	Mitsuhiro Omae	SPO-0209	5107
23353	7590	01/14/2004	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			TRAN, HUAN HUU	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

10/088,266

Applicant(s)

OMAE, MITSUHIRO

Examiner

Huan H. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-40 is/are allowed.
- 6) ☒ Claim(s) 17, 18, 25, 26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 19-24, 27 and 30-36 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☒ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of Group III, claims 17-40 in Paper No. 8 is acknowledged. The traversal is on the ground(s) that the subject matter of all claims is sufficiently related that a search of the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims without serious burden. This is not found persuasive because the argument made is conclusionary in nature without any supporting evidence. The basis for the requirements of unity of invention can be found in the European Search Report submitted in the IDS filed on 12/30/2002, as well as the European Search Report submitted in the IDS filed on 03/12/2003.

The requirement is still deemed proper and is therefore made FINAL.

***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority based on two applications filed in Japan on 09/20/1999 and 10/15/1999. It is noted, however, that the USPTO has not received from the International Bureau a copy of the certified copy of JP 11/294069 filed on 10/15/1999. It is requested that Applicant provides the USPTO with a photocopy of the certified copy of the above-identified priority application. ***Claim Rejections - 35 USC §***

***102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 17, 18, 25, 26, 28, 29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Bizen (JP 10-226102 cited in the IDS filed on 03/12/2003).

As to claim 17, Bizen discloses a driving IC device (1) for supplying a driving current to a light-emitting device having a plurality of light-emitting parts arranged in a row, the driving IC device comprising:

n first output terminals D01-D096 each connected to one terminal of m light-emitting parts and a first drive section (2) connected to the first output terminals,

wherein the first drive section comprises:

a data signal storage circuit (4) for storing at least  $n \times m$  data signals fed in sequentially via r input terminals,

a data selecting circuit (11) for selecting and extracting, in groups of n, the data signals stored in the data signal storage circuit, and a drive circuit (05) for outputting drive signals individually to the first output terminals on a basis of the data signals selected by the data selecting circuit.

As to claim 18, Bizen further discloses m second output terminals CD-O to CD-E each connected to another terminal of n light-emitting parts and a second drive section (3) for selectively connecting one of the second output terminals to a predetermined potential.

As to claim 25, Bizen discloses a driving IC device for supplying a driving current to a light-emitting device having a plurality of light-emitting parts arranged in a row, the driving IC device comprising n first output terminals D01-D096 each connected to one terminal of m

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light-emitting parts, m second output terminals CD-0 to CD-E each connected to another terminal of n light-emitting parts, a first drive section (2) connected to the first output terminals, a second drive section (3) connected to the second output terminals, and a timing control circuit, wherein the first drive section comprises:

a data signal storage circuit (4) for storing at least  $n \times m$  data signals fed in sequentially via r input terminals,

a data selecting circuit (11) for selecting and extracting, in groups of n, the data signals stored in the data signal storage circuit on a basis of m division timing signals fed from the timing control circuit, and

a drive circuit (5) for outputting drive signals individually to the first output terminals on a basis of the data signals selected by the data selecting circuit, and the second drive section switches sequentially among the m second output terminals 5 on a basis of the m division timing signals

As to claim 26, Bizen further teaches the limitation that the number r of input terminals is equal to the number m of second output terminals.

As to claim 28, Bizen further teaches the limitation that the driving IC device is for driving a light-emitting device having m or less groups of n light-emitting parts group by group on a time-division basis.

As to claim 29, Bizen teaches an optical print head comprising a light-emitting device having a plurality of light-emitting parts and a

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driving IC device for supplying a driving current to the light-emitting parts of the light-emitting device, wherein the light-emitting device comprises n first electrodes each connected to one terminal of a plurality of light-emitting parts, the driving IC device comprises n first output terminals D01-D096 connected individually to the first electrodes of the light-emitting device and a first drive section (2) for outputting the driving current via the first output terminals, and the first drive section (2) comprises a data signal storage circuit (4) for storing at least  $n \times m$  data signals fed in sequentially via r input terminals, a data selecting circuit (11) for selecting and extracting, in groups of n, the data signals stored in the data signal storage circuit, and a drive circuit (05) for outputting drive signals individually to the first output terminals on a basis of the data signals selected by the data selecting circuit.

***Allowable Subject Matter***

5. Claims 37-40 are allowed.
6. Claims 19-24, 27, 30-36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: Prior art of record do not teach or suggest the claimed subject matter of the claims indicated allowable above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan H. Tran whose telephone number is (703) 308-0749. The examiner can normally be reached on M-F with Monday off, from 7:30am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (703) 308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1749.



Huan H. Tran  
Primary Examiner  
Art Unit 2861

hht  
01/10/2004